



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held June 12, 2007, the Board took the following action:

84-D

The following item was called up for consideration:

Supervisor Molina's recommendation to require the Director of Health Services to present a full report at the June 12, 2007 Board meeting on the recent State and Federal investigations of Martin Luther King, Jr.-Harbor (MLK-Harbor) Hospital, including status, process, next steps and potential implications of the findings; and to present contingency plans for discussion that ensure the County's continued provision of appropriate health care services to the community in the event that MLK-Harbor Hospital is unsuccessful in meeting Federal standards within the designated timeframe; also direct the Director of Health Services, in collaboration with the Chief Administrative Officer, to develop a plan for presentation at the June 19, 2007 Board meeting that will immediately begin diverting patients from MLK-Harbor Hospital to appropriate health care facilities in either the surrounding community or in the County's other public hospitals, with the goal of the plan to be to minimize disruption in access to or quality of health care received by community residents.

Joshua Rutkoff, Sylvia Drew Ivie, Lynn Kersey, Chris Edwards, Nancy Watson, Dr. Genevieve Clavreul and Michael Bauer addressed the Board.

Dr. Bruce A. Chernof, Director of Health Services, and Ms. Antionette Smith-Epps, Chief Executive Officer of Martin Luther King, Jr.-Harbor Hospital, presented the attached report regarding the recent State and Federal investigations of Martin Luther King, Jr.-Harbor Hospital, including status, process, next steps and potential implications of the findings, and responded to questions posed by the Board.

After discussion, the following revised recommendation was entered into the record for Supervisor Molina:

(Continued on Page 2)

“On Thursday evening June 7, 2007, this Board learned that Martin Luther King, Jr.–Harbor (MLK-Harbor Hospital) had been found by Federal investigators to have committed numerous violations of the Emergency Medical Treatment and Active Labor Act (EMTALA) by placing emergency room patients in ‘immediate jeopardy’ of harm or death. The Centers for Medicare and Medicaid Services have given the hospital 23 days to correct these problems or face immediate termination of Federal funds. This is the fourth time this hospital has been found to pose an ‘immediate jeopardy’ to patients.

“Over many years, this Board has invested millions of dollars in reforming this hospital. At the insistence of the Centers for Medicare and Medicaid Services, we hired Navigant Consulting to completely reengineer services at the hospital. Over 600 MLK-Harbor staff have resigned or been fired due to increased scrutiny and strict accountability standards. After the most recent hospital certification failure, the residency program was eliminated, staff was reassigned, the hospital was downsized, and every single person who sought to work at MLK-Harbor, beginning with the Chief Executive Officer, had to go through a re-interview, and are now being retested and retrained consistent with State and Federal standards. And still we fail.

“While we cannot explain the reasons for this monumental failure of policies, systems, and human compassion at the hospital, we cannot ignore it; we must take immediate steps to safeguard the health and safety of its patients. This Board must commit to doing everything possible to protect access to health care services in this area-no matter what the future may hold for MLK-Harbor.”

Therefore, Supervisor Molina made a motion that the Director of Health Services be required to:

1. Present a full report on the recent State and Federal investigations of MLK-Harbor Hospital including status, process next steps, and potential implications of the findings at today’s Board meeting; and

(Continued on Page 3)

84-D (Continued)

2. Present contingency plans for discussion at a public Board meeting that will ensure the County's continued provision of appropriate health care services to the community in the event that MLK-Harbor is unsuccessful in meeting Federal standards within the designated timeframe; and in collaboration with the Chief Administrative Officer to develop a plan for presentation at the June 26, 2007 public Board meeting that will immediately begin directing emergency patients from MLK-Harbor Hospital to appropriate health care facilities in either the surrounding community or in the County's other public hospitals. The goal of this plan should be to minimize disruption in access to or quality of health care received by community residents.

After further discussion, Supervisor Burke made a suggestion that Supervisor Molina's aforementioned motion be amended to direct the Director of Health Services, in collaboration with the Chief Administrative Officer, to present contingency plans at the June 26, 2007 Board meeting, including the Emergency Room services, for discussion that will ensure the County's continued provision of appropriate health care and emergency services to the community in the event that MLK-Harbor Hospital is unsuccessful in meeting Federal standards within the designated timeframe. Supervisor Molina accepted Supervisor Burke's amendment.

Supervisor Molina's motion, as amended by Supervisor Burke, seconded by Supervisor Yaroslavsky, was unanimously carried (Supervisor Antonovich being absent).

09061207_84-D

Attachment

Copies distributed:

Each Supervisor
Chief Administrative Officer
County Counsel
Director of Health Services